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8 **United States District Court**
9 **Central District of California**
10 **Western Division**
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12 UNITED STATES OF AMERICA,

13 Plaintiff,

14 v.

15 JOSE YEPEZ,

16 Defendant.
17

CR 92-458 TJH

Order

18 The Court has considered Defendant's motion for reduction of sentence pursuant
19 to 18 U.S.C. § 3582(c)(2), together with the moving and opposing papers.

20 The Parties agree that Defendant's offense level has been lowered by
21 Amendments 505 and 536 to the Sentencing Guidelines, which took effect on November
22 1, 1995. The Parties, further, agree that, under Amendments 505 and 536, Defendant's
23 total offense level should be reduced to 41 with an applicable Guidelines range of 324
24 to 405 months. The Parties disagree, however, as to what the actual sentence should
25 be. The Court agrees that level 41 is the appropriate offense level. Accordingly,

26 **It is Ordered** that Defendant's motion for reduction of sentence be, and hereby
27 is, **Granted**.

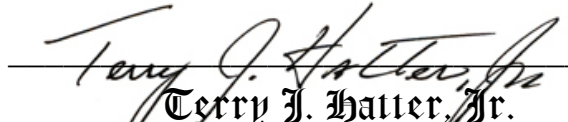
28 **It is Further Ordered** that the Federal Public Defender be, and hereby is,

1 Appointed as counsel for Defendant.

2 It is Further Ordered that Probation shall prepare an updated Presentence
3 Report.

4 It is Further Ordered that Defendant shall be re-sentenced on January 23,
5 2017 at 10:00 a.m.

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7 Date: September 7, 2016,

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9 Terry J. Hatter, Jr.
10 Senior United States District Judge
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